

Special Education Advisory Panel

April 15-16, 2004

Minutes

Thursday, April 15, 2004

Members Present

Eileen Huth	Lynda Roberts	Cathy Meyer
Mary Kay Savage	Steve Viola	Deana O'Brien
Scott Mantooth	Joe Sartorius	Joan Zavitsky
Kent Kolaga	Ray Wicks	Sandra Levels

DESE Staff Present

Debby Parsons	Mary Corey	Karen Allan
Jackie McKim	Dale Carlson	

Members Not Present

Tamara Arthaud	Mike Hanrahan	Patti Simcosky
Dan Colgan	Pat Jackson	Richard Staley
Nan Davis	Tracy Mertz	Dennis Von Allmen
Melodie Friedebach	Dee Ragsdale	Pam Walls
Dennis Gragg	Eric Remelius	Shirley Woods
Trish Grassa	Barbara Scheidegger	

Call to Order - Joe Sartorius called the Panel meeting to order at 1:10 p.m. Introductions were made. A presentation from Karen Allan regarding the State Improvement Grant (SIG) was added to the agenda. Eileen Huth made a motion to approve this addition to the agenda. Lynda Roberts seconded the motion. Motion passed.

Approval of Minutes - Kent Kolaga indicated that a correction should be made under formal recommendation #6 to change mater to matter. Kent Kolaga made a motion to approve the minutes as corrected. Ray Wicks seconded the motion. Motion passed.

Formal Recommendations (Federal Funding FR #7) - Joe Sartorius indicated that a letter was received back from Senator Bond in response to a letter sent from the Panel. Eileen Huth and Mary Kay Savage would like a copy of the letter. Kent Kolaga made a motion to consider formal recommendation #7 complete. Eileen seconded the motion. The Rules and Regulations subcommittee will continue to follow the funding. Motion passed.

Formal Recommendations #3 and #6 are open still.

Public Comment Section - No public comments.

Performance Report - Mary Corey indicated that the Annual Performance Report (APR) structure was changed by OSEP. The report was originally due March 31, 2004, but DESE received an extension until the end of April. The purpose of the APR is to combine the performance reporting and to report on the improvement plan. The current APR is for the 2002-03 school year. The three major areas included are city/county jails, elementary achievement, and post-secondary outcomes. OSEP expects that DESE have stakeholder involvement in pulling together the performance report. It was suggested to have presentations about post secondary outcomes and elementary achievement at each of the next two Panel meetings.

Kent Kolaga suggested that the Panel divide each of the questions/probes between the Panel's meetings next year which would give the Panel an opportunity to review and make recommendations as needed to assist with next year's performance report.

It was decided that secondary transition will be presented/discussed at the June Panel meeting and elementary achievement will be presented/discussed at the August meeting. Miscellaneous items (General Supervision) will be presented/discussed at the October meeting.

There were six areas that had to be looked at for each of the questions/probes:

1. Baseline/trend data and analysis (wanted three years of trend data if possible)
2. Targets for 2002-03
3. Explanation of progress or slippage for 2002-03
4. Projected targets for 2003-04 and ongoing
5. Future activities to achieve the projected targets
6. Future activities to achieve the projected timelines

The cluster areas included:

- General Supervision
- ECSE Transition
- Parent Involvement
- FAPE/LRE
- Secondary Transition

Copies of the final report will be mailed to the panel. Kent requested paper copies of the charts and an email of the final version. Mary will indicate which sections need to be reviewed for each meeting.

SEAP Annual Report - The 2002-03 annual report is currently being printed. It was suggested for the 2003-04 report to only include Panel activities (to better align the report with the OSEP monitoring process) and to not include the data information. Annual reports are due July 1 of each year. The subcommittee needs to meet and discuss the report prior to the June SEAP meeting. Cathy Meyer made a motion that the subcommittee put together a narrative report (what the Panel has been focused on and what recommendations have been made, etc.) for 2003-04 school year for the July 1, 2004, submission. This report will exclude the data information. Eileen Huth seconded the motion. Motion passed.

Budget Update - Dale Carlson handed out and discussed information regarding the 2005 appropriation process. He discussed with the Panel what DESE requested, what was recommended by the Governor, House, and Senate, and then the status.

- Exceptional Pupil Aid (EPA) – has remained the same since 2001.
- Early Childhood Special Education (ECSE) – This is a program where there is a real concern (14-15% increases each year in spending). Hoping to get the supplemental for the current year.
- State Operate Programs (SOP) – State programs have received funding cuts and FTE cuts. Could result in additional cuts in transportation (longer bus routes) and higher student/teacher ratios. There are a lot of issues involved.
- Special Education Operations – Reduction in Sheltered Workshops (E&E funds).
- Federal Grants – Part B grant
- Extraordinary Cost/Severe Disabilities Fund – DESE will only receive federal funds for this fund.
- First Steps – This is another program where there are some issues. Received a supplemental of 7.3 for the current year. Asked for an increase to the core.
- Public Placement, SOP Maintenance and Repair, Sheltered Workshops, Readers/Blind, Blindness Literacy Task Force, Trust Funds (SSSH, MSD, MSB) - DESE was basically given the funding that was requested. There was a \$1 million withholding in Sheltered Workshops.

The Panel was concerned with the cuts being made to the State Operated Programs. Are those children receiving all of the services they need or will some services not be included in IEPs because funds are not available to pay for the services? What recommendations can the Panel make to assist in dealing with the problem? This could even happen in local school districts.

8th Circuit Court of Appeals Decision – Debby Parsons indicated that the Division recently sent a SELS message regarding the decision. DESE must have a representative attend IEPs meetings for children that are not being served by the local district and DESE must pay the costs for those contractual placements. It has been court

ordered that DESE attend the IEP meeting but DESE does not have staff available to do this. DESE is looking at possible options. There are approximately 1,200 students in contractual placements (includes all children that are being contracted with another school district) currently and at approximately \$8,000 per placement, that is a total of around \$9.6 million that will come out of EPA funds. From the EPA fund, contractual, homebound, and extended school year (ESY) are paid first and then the remainder goes to school districts for teacher/paraprofessional salaries. Districts will see a lower teacher/paraprofessional reimbursement rate. There will be an application on the Division's webpage that districts must use to apply. Thirty districts (700 students) have applied so far. SSD and PSSD are excluded from this.

Census – Information on Census legislation was sent to the Panel's subcommittee. It would have repealed the districts' annual census (Child Find) requirement and the \$1 per child that districts receive each year. The legislation did not pass.

State Improvement Grant (SIG) – Karen Allan presented information to the Panel regarding SIG. The current SIG is due to end in January 2005. DESE has applied for a three year SIG grant (\$3.9 million over three years). The grant application was based on the improvement plan and the CIMP process/self-assessment process. Par C is also a component of the grant. If DESE receives the grant, DESE will target specific districts (provided they agree to our assistance) and assist them in developing a plan of action, analyzing data, etc. The Panel will continue to be advisory with this grant.

Cathy Meyer made a motion to adjourn the meeting. Kent Kolaga seconded the motion. Motion passed. The Panel members went into individual subcommittee meetings.

Friday, April 16, 2004

Members Present

Eileen Huth	Lynda Roberts	Deana O'Brien
Kent Kolaga	Steve Viola	Joe Sartorius
Scott Mantooth	Ray Wicks	Melodie Friedebach
Joan Zavitsky	Mary Kay Savage	

DESE Staff Present

Debby Parsons

Members Not Present

Tamara Arthaud	Pat Jackson	Richard Staley
Dan Colgan	Tracy Mertz	Dennis Von Allmen
Nan Davis	Dee Ragsdale	Pam Walls
Dennis Gragg	Eric Remelius	Shirley Woods
Trish Grassa	Barbara Scheidegger	Sandra Levels
Mike Hanrahan	Patti Simcosky	Cathy Meyer

Call to Order – Joe Sartorius called the Panel meeting to order at 8:35 a.m.

Committee Reports

Nominations Subcommittee - Scott Mantooth reported that it is once again time for reelections. The Division will review the membership to determine who needs to be replaced/reappointed due to missed meetings and/or terms ending. A list of vacancies and a list of officer nominations will be presented at the June meeting. Scott will send an email to the Panel requesting nominations for officer positions. Officer elections will be held at the June meeting. Melodie Friedebach mentioned that there is a parent vacancy and that if anyone knows of a parent that would like to serve on the Panel, to have them fill out a nomination form and send it to the Division. Kent Kolaga indicated that a suggestion had been made prior that information materials about what Panel members are committing to when they become a Panel member should be listed on the webpage along with the nomination form. Scott indicated that the Nominations Subcommittee could work to put something like that together. Need to stress the importance of attending the meetings and that the Panel is an advisory group.

It was suggested that a letter be sent to members who have missed two consecutive meetings. Melodie also suggested that the Panel consider going to a one-day meeting instead of the two-day format. She felt that this does impact the attendance at meetings. Ray Wicks indicated that the Panel does need to consider the reasons why (in many cases very legitimate reasons) members are not attending. Need to consider the timing of the meetings. It was suggested to have the August Panel meeting on Wednesday, August 11.

Eileen Huth made a motion to try the one-day meeting format. Ray Wicks seconded the motion. It was suggested that subcommittees need to be doing business via email and conference calls and not just waiting for meetings during the SEAP meeting. Subcommittees could meet the evening before if needed. The subcommittee chairs need to be checking with their committee members and then contacting DESE if needing items. The Panel meetings could start at 9:00 and end at 4:00. Upcoming meetings: June 10, August 11 (Wed), and October 7. Eileen Huth made a motion to accept this amendment to her original motion. Ray Wicks seconded the amendment. The majority of the Panel members agreed. One Panel member did not agree. Motion passed.

Program Subcommittee – Scott indicated that he had nothing to report.

Rules and Regulations Subcommittee - Deana O'Brien indicated that they talked with Debby Parsons regarding the annual report (ask GLARRC how other states are doing their reports; maybe get some samples, what to do about year old data). Kent Kolaga indicated that originally the Panel submitted an activities' report to the Commissioner at the end of each fiscal year. The Commissioner would then come to a meeting to respond to the report. Later it was decided to add a bit more substance to the annual report by including data information. Now the Panel has a formal recommendation process where the Panel submits recommendations directly to DESE instead of waiting to include them in the annual report. Kent felt that data should continue to be included in the annual report. Melodie Friedebach suggested that we use a calendar year to report on instead of a fiscal year. This would give the Panel from Jan-July to write the report for the prior calendar year. This would also allow the Panel to get the data needed for the report. Kent suggested that the Evaluations Subcommittee need to review them and suggest what needs to be done.

Evaluations Subcommittee – Lynda Roberts indicated they are going to do a conference call on June 1 to pull together a draft annual report (with no data) and will have something to show the Panel at the June meeting. They will include an explanation about why the data is not in the report and the adjustments being made to the annual report. Debby Parsons suggested that when reporting the activities from this meeting and also the June meeting in the Annual Report, that the web link for the performance report should be added (this would give readers data information). Lynda indicated that Mary Corey will be providing her subcommittee with a list of evaluations that need to be reviewed and timelines throughout the year.

Monitoring Subcommittee - Kent Kolaga reported that there are a couple of issues. The subcommittee has had a couple of conference calls. At the December Panel meeting there was discussion about the child complaint process (review child complaint investigation process). Kent handed out a proposed formal recommendation to develop a child complaint review process for the purpose of reviewing the thoroughness and soundness of child complaint investigations containing certain parameters (listed on the formal recommendation). A satisfaction survey could be sent to the district/parents following a child complaint decision. Kent felt that child complaint investigations should be thorough. Also, DESE may need to better explain the process in the letter that goes to the parents/district. Parents could be misunderstanding the process. Melodie suggested that the child complaint investigator could call the parent and could add more parent friendly information to the letter. What could be done after a child complaint to rebuild the partnership between the parent and district.

Kent indicated that the committee would like to review the form letters and procedures that DESE uses. The committee is not clear on the process.

Discard the proposed formal recommendation.

Due Process statistics were also reviewed at the December Panel meeting. There were questions as to why due processes were dismissed. The subcommittee drafted a proposed formal recommendation indicating that “when parent or representative notified DESE of desire to withdraw due process request, DESE shall survey the parent or representative as to the reason for the withdrawal.”

Kent Kolaga made a motion to submit this formal recommendation (#8) to DESE. Deana seconded the motion. Motion passed.

Kent indicated that the committee has been reviewing the monitoring process in Missouri and the indicators that DESE uses on their focused monitoring. Debby Parsons suggested that someone from their subcommittee should be involved in the Alan Coulter meeting in August.

Public Forum – no committee update

Public Comment Section – no public comment

DESE Update

Certifications – Debby Parsons indicated that she recently talked with Teacher Certification. MACCE has approved the newest competencies in April and they will go to the State Board in May (will then be incorporated into the MOSTEPS standards with the universities). Debby has copies if someone wants to review. Melodie Friedebach indicated that in August 2005 there will only be five certifications for special education. Can go to the Teacher Certification website for more information <http://dese.mo.gov/divteachqual/teachcert/>. It will be much easier for teachers from out of state to get certified in Missouri.

Reports/Miscellaneous Discussion

Formal Recommendation #3 - Is pending a definition from DESE on the term “appropriate”. Mike Hanrahan drafted, but was not able to attend the meeting, a definition for “appropriate”. This information was handed out at the Panel meeting. DESE will review the draft definition and respond at the next meeting. Are there legal ramifications for Missouri if the definition of appropriate goes beyond the IDEA or case law requirements? It all comes back to an IEP team decision based on the child’s needs.

Eileen Huth wanted to know if DESE has given any thought to the redesign of the IEP process. Debby Parsons indicated that DESE could look at student directed IEPs. Need to make the IEP a bit more family friendly and more family oriented.

Formal Recommendation #6 (SBOP) – Kent Kolaga felt that if legislators are cutting funding, then at some point the level of services will also be cut. Melodie indicated that the funding for the state schools is decided by the legislators and not by DESE. DESE is attempting to do all it can to secure funding and to do the best with the funds received.

Joe Sartorius indicated that he was satisfied that DESE is doing the best they can with the cuts in funding. Melodie indicated that DESE’s response could be that the educational services would be the last areas to use when making budget cuts. Formal Recommendation #6 will be complete after DESE includes their response.

Future Meeting Dates – It was suggested that there needs to be a listing/calendar of important timelines to use when scheduling panel meetings. Debby Parsons and Lina Browner will look at scheduling some future meeting dates. At a future meeting, the Panel needs to review how the one day meeting format has been working. Ray Wicks recommended that Lina send an email about the meeting date changes to the Panel and make the changes to the web.

Agenda for June meeting

- Post secondary outcomes (IEP discussion)
- Charter schools monitoring (give to the monitoring subcommittee instead of full panel)
- Officer Elections
- Update on appropriations
- Committee updates (draft annual report – will send to Panel on Monday before meeting)

Scott Mantooth made a motion to adjourn the meeting. Joan Zavitsky seconded the motion. Motion passed. Meeting was adjourned at 11:30 a.m.